

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

14-MD-2543

This Document Relates To:

ORDER

Postley v. General Motors LLC, 20-CV-3498
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JESSE M. FURMAN, United States District Judge:

Pursuant to Order No. 167, ECF No. 7789, on October 6, 2020, New GM filed a notice regarding deficiencies in the Plaintiff Fact Sheets (“PFS”), Order No. 108, ECF No. 3115, document productions (“Order 108 Documents”), and Order No. 148, ECF No. 5373, document productions (“Order 148 Documents”) of Wave Pool Plaintiffs Kyomi Postley, Tiffany Postley, Timothy Postley, and Norma Robinson (as Administrator of the Estate of Cleon Davis). *See* ECF No. 8178.¹ Plaintiffs had fourteen days — that is, until October 20, 2020 — to cure these deficiencies. *See* Order No. 173, ECF No. 8094.

On November 13, 2020, New GM moved to dismiss Tiffany Postley and Timothy Postley without prejudice for ongoing discovery deficiencies. ECF No. 8234. In their motion, New GM informed the Court that “[t]here are no current disputes for the Court to address with respect to Kyomi Postley” and that “Ms. Robinson provided additional discovery materials that resolved her discovery deficiencies.” *Id.* at 2. In contrast, Tiffany and Timothy Postley “ha[d] not provided any additional discovery materials” and had “remaining discovery deficiencies.” On November 18, 2020, New GM filed a reply withdrawing its motion in light of its agreement to

¹ Unless otherwise noted, all docket references are to 14-MD-2543.


provide Tiffany and Timothy Postley with an extension to December 4, 2020 of the deadline to provide substantially complete PFSs and Order No. 148 documents.

In light of its withdrawal, New GM's motion to dismiss without prejudice Tiffany Postley and Timothy Postley is DENIED without prejudice to renew if the Postleys' discovery deficiencies continue beyond the agreed-upon date.

The Clerk of Court is directed to terminate 14-MD-2543, ECF No. 8234 and 20-CV-3498, ECF No. 28.

SO ORDERED.

Dated: November 18, 2020
New York, New York



JESSE M. FURMAN
United States District Judge